

## AGENDA MEMO

**CITY COUNCIL MEETING DATE: JUNE 20, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-19160 - APPLICANT: CLEAR CHANNEL OUTDOOR -  
OWNER: RICHARD W. ATTISANI**

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### **\*\* CONDITIONS \*\***

The Planning Commission (6-0-1/rt vote) and staff recommend DENIAL.

#### **Planning and Development**

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. Before the City Council hearing, the applicant will receive approval of the final inspection from the Building and Safety Department by getting a letter from a registered professional engineer in the State of Nevada.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a required Two-Year Review of an approved Special Use Permit (U-0155-96) which allowed a 40-foot tall, 12-foot x 24-foot Off-Premise Advertising (Billboard) Sign at 1217 South Commerce Street.

This is the fourth review of the subject off-premise advertising (billboard) sign. The off-premise advertising (billboard) sign is not in compliance with the requirements of the Arts District, which requires that Signage shall reflect the arts-related nature of the district by incorporating artistic details, sculptural elements, three-dimensional features, ornate designs, or other similar expressive elements. This sign is plain and does not contain any artistic enhancements that distinguish it as being in the Arts District. Additionally, the sign is located within the area encompassed by a significant proposed project. The sign is in need of bird deterrent devices and repainting. Conditions of approval have addressed these issues, if approved. Denial of this request is recommended.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
02/24/97	The City Council approved the Special Use Permit (U-0155-96) for the 12-foot by 24-foot off-premise advertising (billboard) sign on this site subject to a five-year review.
09/28/98	The City Council approved a Re-instatement and Extension of Time for the Special Use Permit [U-0155-96(1)] for the 12-foot by 24-foot off-premise advertising sign subject to a two-year review. Planning Commission recommending approval.
11/01/00	The City Council approved the Required Two-Year review for the Special Use Permit [U-0155-96(2)] for the 12-foot by 24-foot off-premise advertising sign subject to a two year review. Planning Commission recommending approval.
01/22/03	The City Council approved the Required Two-Year review (RQR-1102) for the Special Use Permit [U-0155-96(2)] for the 12-foot by 24-foot off-premise advertising sign subject to a two year review. The Planning Commission and Staff recommended approval on December 19, 2002.
03/02/05	The City Council approved a Required Two-Year Review of an approved Special Use Permit (U-0155-96) which allowed a 40-foot tall, 12-foot x 24-foot Off-Premise Advertising (Billboard) Sign subject to a two year review. The Planning Commission and staff recommended approval.
05/10/07	The Planning Commission voted 6-0-1 to recommend DENIAL (PC Agenda Item #50/ng).

<b><i>Related Building Permits/Business Licenses</i></b>	
06/05/97	A building permit (#97011530) was issued for the subject sign. Final inspections were not conducted.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held.	
<b><i>Field Check</i></b>	
04/16/07	A site inspection was conducted. Pictures were taken. It was noted that there were birds perched on the subject sign and that the structure was in need of repainting.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.37

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Industrial Shops and Offices	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
North	Industrial Shops and Offices	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
South	Industrial Shops and Offices	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
East	Industrial Shops and Offices	C (Commercial)	C-M (Commercial/Industrial)
West	Industrial Shops and Offices	LI/R (Light Industry/Research)	M (Industrial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b><i>Special Area Plan</i></b>			
Downtown Centennial Plan (Arts District)	X		N
Redevelopment Plan Area	X		Y
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

<b>Standards</b>	<b><i>Code Requirement</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-M (Commercial/Industrial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	288 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y

Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	320 feet to another Off Premise Sign	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	575 feet from "R" zoned property to the east.	Y
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

## ANALYSIS

This site is located in the Las Vegas Redevelopment Plan area. There are no requirements within this plan that would affect the off-premises advertising (billboard) sign at this location.

Since the original approval of this off-premises advertising (billboard) sign, this area has been designated as being located within the Arts District of the Downtown Centennial Plan. This designation has changed the neighborhood over time. The area seeks to promote festivities such as First Friday and other arts and cultural gatherings. The standards set forth in the Downtown Centennial Plan, Arts District require that: Signage shall reflect the arts-related nature of the district by incorporating artistic details, sculptural elements, three-dimensional features, ornate designs, or other similar expressive elements. This sign is plain and does not contain any artistic enhancements that distinguish it as being in the Arts District. Therefore, this sign is not in compliance with the standards of the Arts District.

It is also noted that this site is located within the boundary for a significant proposed project, which has been submitted to the Planning and Development Department and is scheduled to be heard on the 05/24/07 Planning Commission agenda. The proposed project would require the removal of this off-premises advertising (billboard) sign, if approved. The sign was found to have birds using it as a perch, and the structure was in need of fresh paint. These issues shall be addressed with conditions of approval.

## **FINDINGS**

The subject off-premise advertising (billboard) sign is not considered appropriate. There was not a final inspection conducted for the off-premise advertising (billboard) sign; therefore, all city requirements have not been satisfied. Additionally, the off-premise advertising (billboard) sign is located in the Arts District and is not in compliance with the requirements of signage within this District. Denial of this request is recommended.

## **PLANNING COMMISSION ACTION**

There was one speaker in opposition.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 125 by City Clerk

**APPROVALS** 0

**PROTESTS** 0